

EXP.046A



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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Yuri Galperin, et al.
Appl. No. : 09/942,983
PCT Filing Date : August 30, 2001
For : METHOD AND APPARATUS
FOR DETERMINING A
PREPAYMENT SCORE FOR AN
INDIVIDUAL APPLICANT
Examiner : Siegfried E. Chencinski
Group Art Unit : 3692

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA, 22313, on

April 28, 2008

(Date)

Ted M. Cannon

Ted M. Cannon, Reg. No. 55,036

REQUEST FOR RECONSIDERATION OF PETITIONS UNDER
37 C.F.R. §§ 1.47(a), 1.183, AND 1.48

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Dear Sir:

Applicants hereby request reconsideration of the dismissal of Applicants' Petitions under 37 C.F.R. §§ 1.47(a), 1.183, and 1.48. Applicants filed the petitions on September 19, 2007. The petitions were dismissed by a decision mailed October 26, 2007.

In the October 26, 2007 decision, the Office treated Applicants' petitions as: (a) a petition under 37 CFR 1.183 requesting waiver of 37 CFR 1.48(a), (b) a petition under 37 CFR 1.47(a), and a petition under 37 CFR 1.183 requesting waiver of 37 CFR 1.64. Applicants' request for reconsideration of the dismissal of each of these petitions is now addressed in turn:

Dismissal of the petition under 37 CFR 1.183 requesting waiver of 37 CFR 1.48(a)

Applicants petitioned for waiver of the requirement that Charles L. Jones III sign a statement that he had been erroneously omitted as an inventor through no deceptive intent on his part. The Office asserted that the "facts presented on the record do not adequately establish an extraordinary situation" sufficient to waive this requirement. Applicants have filed herewith a

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new petition and attached Declaration of Ted M. Cannon that establish sufficient facts to support waiver of the requirement.

The Office also asserted that Applicants' inventors' declaration was deficient "in that it does not include the residence and mailing address for all of the inventors." Applicants have filed herewith a declaration that does include the residence and mailing address for all of the inventors.

Accordingly, Applicants respectfully request that the Office grant Applicants' petition under 37 CFR 1.183 to waive the requirement that Charles L. Jones III sign a statement that he had been erroneously omitted as an inventor through no deceptive intent on his part.

Dismissal of the petition under 37 CFR 1.47(a)

Applicants petitioned, under 37 CFR 1.47(a), that they be allowed to prosecute the above-referenced application despite Charles L. Jones III's failure to join in the application. The Office dismissed the petition, citing three alleged deficiencies: (1) the petition allegedly lacks proof that the non-signing inventor cannot be reached or located, notwithstanding diligent effort, or refuses to sign the declaration after having been presented with the application papers, (2) the petition allegedly lacks an acceptable inventors' declaration, and (3) the petition allegedly lacks a statement of the last known address of the non-signing inventor.

Applicants have filed herewith a new petition under 37 CFR 1.47(a) that addresses each of these alleged deficiencies. Accordingly, Applicants respectfully request that the Office grant Applicant's petition under 37 CFR 1.47(a).

Dismissal of the petition under 37 CFR 1.183 requesting waiver of 37 CFR 1.64

Applicants petitioned for waiver of the requirement that William Eginton sign the inventors' declaration. This petition, and the Office's dismissal of it, are now moot because Applicants have filed herewith a declaration signed by William Eginton.